

**UNITED STATES DISTRICT COURT**  
EASTERN DISTRICT OF CALIFORNIA

SENTRY SELECT INSURANCE  
COMPANY,

Plaintiff,

v.

NORCOLD, INC., et al.,

Defendants.

Case No. 1:21-cv-00521-NONE-SAB

ORDER REQUIRING DEFENDANT TO  
FILE RESPONSIVE PLEADING

SEVEN DAY DEADLINE

On October 2, 2020, Sentry Select Insurance Company (“Plaintiff”) filed this action in the Fresno County Superior Court against Norcold Inc., Thetford Corporation, and Dyson-Kissner-Moran Corporation (“Defendants”). (ECF No. 1-1.) Defendants assert that service of the summons and complaint was completed on February 26, 2021. (Notice of Removal, ¶ 3, ECF No. 2.) On March 29, 2021, Defendants removed the action to the Eastern District of California. (Id.)

Pursuant to the Federal Rules of Civil Procedure, “[a] defendant who did not answer before removal must answer or present other defenses or objections under these rules within the longest of these periods: (A) 21 days after receiving--through service or otherwise--a copy of the initial pleading stating the claim for relief; (B) 21 days after being served with the summons for an initial pleading on file at the time of service; or (C) 7 days after the notice of removal is

1 filed.” Fed. R. Civ. P. 81(c)(2).”

2 Defendant’s notice of removal does not include an answer filed in the state court.  
3 Accordingly, IT IS HEREBY ORDERED that Defendant shall file a responsive pleading within  
4 **seven (7) days** of the date of entry of this order.

5  
6 IT IS SO ORDERED.

7 Dated: **March 29, 2021**

  
UNITED STATES MAGISTRATE JUDGE